



1631
A34535-A-PCT-USA-A (070050.1866)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Fisher *et al.*
Serial No. : 09/991,452 Examiner : Marschel, A.
Filed : November 21, 2001 Group Art Unit: 1631
For : USE OF A MELANOMA DIFFERENTIATION ASSOCIATED
GENE (mda-7) FOR REVERSING A CANCEROUS
PHENOTYPE

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**RESPONSE TO RESTRICTION REQUIREMENT
AND AMENDMENT**

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August 4, 2003

Date of Deposit

Lisa B. Kole

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35,225

PTO Registration No.

July 31, 2003

Date of Signature

Commissioner for Patents

Box 1450

Alexandria, Virginia 22313-1450

SIR:

In response to the Restriction Requirement dated March 5, 2003,

Applicants hereby elect to pursue the claim of Group II, drawn to a method of treating a
melanoma in a subject via administration of a mda-7 protein, in the instant application.

This election is made without prejudice to the prosecution of non-elected claims 1 and 2
in other patent applications.

Applicants submit herewith a Petition to Extend Time for their response to the Restriction Requirement for a period of four months, together with the required fee. In addition, it is requested that the following amendments and remarks be made of record.